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PART V

Bills introduced in the Council of State and Legislative Assembly, Reports of Select Committees presented to the Council and Assembly and Bills published under 18 of the Indian Legislative Rules.

GOVERNMENT OF INDIA

LEGISLATIVE ASSEMBLY DEPARTMENT

The following Bill was introduced in the Legislative Assembly on the 13th February 1947 :—

L. A. BILL No. 18 OF 1947

A Bill to enable duties in connection with vital services to be imposed in an emergency on the Armed Forces of the Crown

WHEREAS it is expedient to enable duties in connection with vital services to be imposed in an emergency on the Armed Forces of the Crown ;

It is hereby enacted as follows :—

1. (1) This Act may be called the Armed Forces (Emergency Duties) Act, 1947. **Short title and extent.**

(2) It extends to the whole of British India.

2. (1) The Central Government may, by notification in the official Gazette, declare any specified service to be a service of vital importance to the community. **Emergency duties of Armed Forces**

(2) Upon a declaration being made under sub-section (1) and until it is rescinded, it shall be the duty of every person subject to the Indian Army Act, 1911, or the Indian Air Force Act, VIII of 1911 1932, or the Naval Discipline Act, in the form in which it is set forth in the First Schedule to the Indian Navy (Discipline) Act 1934, to obey any command given by any superior officer in or to employment upon or in connection with the service specified in the declaration ; and every such command shall be deemed to be a lawful command within the meaning and for the purposes of the said Acts. **XIV of 1932 XXXIV of 1934**

3. Every command given, after the 30th day of September 1946 and before the commencement of this Act, to any person referred to in sub-section (2) of section 2 by any superior officer in relation to employment upon or in connection with any such service as the Central Government may, by notification in the official Gazette, specify in this behalf, shall be deemed to have been a lawful command within the meaning and for the purposes of the Acts referred to in that sub-section, so however that no such person shall be punished by reason only of his not having obeyed any such command. **Validation of certain past commands.**

STATEMENT OF OBJECTS AND REASONS

During the War, Defence of India Rule 81(3) empowered the Central Government to direct the employment of persons subject to the Indian Army Act or the Indian Air Force Act in any undertaking essential to the life of the community. The Defence of India Rules having now expired, it is lawful to order troops or naval or air force personnel to carry out essential services only for a military purpose, or if such a condition of affairs has arisen that the safety of the community and the existence of the Government and its authority is in danger, and to save the community the Government has decided to entrust such vital services to military administration and control. It is doubtful whether the Courts would hold that these very stringent conditions were fulfilled in such cases as the use of troops for the maintenance of electric power, water and sewage in a large city or the unloading of ships carrying articles of food.

2. To remove any doubt in the matter and to ensure that Government has powers to enable it to maintain services vital to the community, it is proposed to enact this Bill providing that in an emergency the Central Government may by notification declare that any specified service is a service of vital importance to the community and that commands to members of the armed forces in relation to employment in that service shall then be lawful.

3. The Bill includes a clause to make valid commands of this nature given under the orders of Government between the expiry of the Defence of India Rules and the passing of this Bill.

NEW DELHI;

G. S. BHALJA.

The 8th February, 1947

The following Bills were introduced in the Legislative Assembly on the 14th February 1947 :—

L. A. BILL No. 19 OF 1947

A Bill further to amend the Indian Railways Act, 1890

WHEREAS it is expedient further to amend the Indian Railways Act, 1890 (IX of 1890) for the purposes hereinafter appearing;

It is hereby enacted as follows:—

1. Short Title.—This Act may be called the Indian Railways (Amendment) Act, 1946.

2. Amendment of Section 71B, Act IX of 1890.—In Section 71B of the Indian Railways Act, 1890 (IX of 1890) (hereinafter referred to as the Said Act),—

(1) for the words “only to such”, the words “to all” shall be substituted; and

(2) for the words “as the Central Government may by rules made under section 71E prescribe”, the words “except those Railway servants to whom the Factories Act 1934 applies” shall be substituted.

3. Amendment of Section 71C, Act IX of 1890.—In Section 71C of the Said Act,—

(a) in sub-section (1)—

(i) the words “other than a railway servant whose employment is essentially intermittent” shall be omitted;

(ii) for the word “sixty”, the word “forty-eight” shall be substituted; and

(iii) for the words “on the average in any month”, the words “and eight hours a day” shall be substituted;

(b) sub-section (2) shall be omitted; and

(c) in sub-section (8)—

(i) the words "and sub-section (2)" shall be omitted;

(ii) in the proviso for the word "clause", the words "clauses (a) and" shall be substituted and for the word "quarter", the word "half" shall be substituted.

4. Amendment of Section 71D, Act IX of 1890.—In Section 71D of the Said Act,—

(1) in the Proviso to sub-section (1) the words "or to a railway servant to whom sub-section (2) applies" shall be omitted; and

(2) for sub-section (2) the following shall be substituted —

"(2) In the case of Railway servants whose employment is essentially intermittent, the Governor General in Council may by Rules made under Section 71E provide for rest which on the average will not be less than 96 hours in four weeks commencing from a Sunday"

5. Amendment of Section 71E, Act IX of 1890.—In Sub-section (1) of Section 71E of the said Act,—

(1) clause (a) shall be omitted and the subsequent clauses shall be relettered;

(2) for clause (c) the following shall be substituted:—

"(c) Providing those railway servants whose employment is considered essentially intermittent with rest which on the average will not be less than 96 hours in four weeks commencing from a Sunday"; and

(3) in sub-clause (e) for the letter and brackets "(d)", the letter and brackets "(c)" shall be substituted.

STATEMENT OF OBJECTS AND REASONS

The Indian Railways Act of 1890 chapter 6A deals with the regulations of the hours of employment of railway servants and their weekly periods of rest. The Act as it stands provides for a maximum of 84 hours' work in a week for those railway servants whose employment is considered to be intermittent and a maximum of 60 hours' work in a week for other railway servants. The present Act does not set any maximum limit to the daily hours of work.

The present hours of work are very long and adversely affect the health of railway servants. The Government of India proposes to bring forward legislation to restrict the hours of work for workers covered by the Factories Act, 1947, to forty-eight per week and eight hours per day. This proposal does not cover a vast majority of railwaymen whose hours of work are governed by the Indian Railways Act 1890. This gap is sought to be made up by this Bill by so amending the Indian Railways Act as to reduce the hours of work permissible under it to forty-eight per week and eight per day. It is also proposed to abolish the distinction as regards hours of work between railway servants whose employment is considered to be essentially intermittent and those whose employment is not considered essentially intermittent, by equalising the hours of work for all railwaymen to forty-eight per week and eight per day. The discrimination made at present is not justified as the railway servants whose employment is considered essentially intermittent, are not allowed to leave their place of work, even though there may not be any work. As a matter of fact though their employment is considered to be intermittent there is hardly any period during their hours of duty when they are entirely free from work.

As the Act stands at present, the railway servants whose employment is considered to be essentially intermittent are excluded from the provision regarding weekly rest of 24 consecutive hours enjoyed by other railwaymen. Absence of any definite provision regarding hours of weekly rest also affects the health of these workers adversely. It is necessary that they too should get the benefit of some rest, after a definite number of working days. It is therefore proposed that they too should be made eligible for enjoying these periods of rest and in case it is not possible to grant them rest of 24 consecutive hours in every week, the Governor General in Council is authorised to grant them rest in a manner different from the rate of 24 hours in a week, but ensuring that they will get rest of 96 hours in every period of four weeks.

The present Act permits over time payment at one and quarter times the ordinary rate of pay. It is proposed to increase the over time rate to one and half times the ordinary rate. The present Act excludes railway servants from getting payment at over time rate if they work longer hours "to avoid serious interference with the ordinary working of the railway, in cases of accident, actual or threatened, or when urgent work is required to be done to the railway or to rolling-stock, or in any emergency which could not have been foreseen or prevented". It is proposed that these workers too should get payment at the over time rate if they are asked to do over time work.

S. GURUSWAMI.

NOTES ON CLAUSES

Clause 2.—The clause proposes to amend Section 71B so as to extend the application of the Act to all railway servants who are not covered by the Indian Factories Act.

The original Section 71B(2) restricted application of this chapter to such railway servants or classes of railway servants as the Governor General in Council may by rules made under Section 71E prescribe.

Clause 3 Sub-clauses (a) & (b).—The original Sections 71C(1) and 71C(2) permit the Railway authorities to take work from a railway servant whose employment is considered to be essentially intermittent for 84 hours a week and for 60 hours a week from other railway servants.

The amendment proposed in clause 3 aims at reducing these hours to 48 per week for railway servants of both the categories, thus abolishing the present distinction between those whose employment is considered as essentially intermittent and other railway workers as regards their hours of work.

The present Act does not limit the hours permitted to be worked per day. The proposed clause 3 besides reducing the weekly hours of work limits the daily hours of work to eight per day.

Sub-clause (c).—This Sub-clause does two things. In the first place it is proposed that railway servants should be paid at the rate of one and half times of the ordinary rate for over time work instead of one and quarter as provided in the Proviso to Section 71C(3) of the original Act. In the second place the proposed proviso also provides for over time rate of payment for persons who do over time work even "to avoid serious interference with the ordinary working of the railway, in cases of accident actual or threatened, or when urgent work is required to be done to the railway or to rolling-stock or in any emergency which could not have been foreseen or prevented" as provided in 71C(3)(a) but who are at present excluded from getting over time payment at the increased rate as provided by the original proviso.

Clause 4.—The original proviso to section 71D(1) excludes the railway servants whose services are considered to be essentially intermittent and other classes of Railway servants specified by Rules to whom original sub-section (2) of section 71(D) applied, from getting a weekly rest of twenty-four consecutive hours given under Section 71D(1). The amendment proposes to delete a part of the proviso as it is proposed that all railway servants should get one day's weekly rest as provided by 71D(1) except that as proposed in clause 4(2) amending Section 71D(2), railway servants whose employment is considered to be intermittent may be given accumulated periods of rest of 96 hours in a period of four weeks instead of rest for 24 hours every week as provided by the new sub-section (2) of Section 71D which is substituted by clause 4(2) for the original sub-section (2) of Section 71D.

Clause 4(2).—The original Section 71D(2) empowers the Governor General in Council to specify the railway servants to whom weekly rest may be granted on a scale smaller than the one provided in Section 71D(1) i.e. for full 24 consecutive hours. As explained above the Bill intends to provide for one day's rest every week to all Railway servants with some modifications regarding the periods of rest in the case of those whose employment is intermittent. Therefore, the original Section 71D(2) disappears and its place is taken by a new sub-section (2) of 71D.

Clause 5.—The Governor General in Council is empowered under the original Section 71E 1(a) to prescribe the railway servants to whom this chapter dealing with limitation of employment shall apply. It is proposed in clause 2 of the Bill that the Act should apply to all railway servants except those who are not covered by the Factories Act, 1934. Hence Section 71E 1(a) which grants power to the Governor General in Council to prescribe the railway servants becomes unnecessary and is, therefore, deleted.

L. A. BILL No. 20 OF 1947

A Bill further to amend the Child Marriage Restraint Act, 1929.

WHEREAS it is expedient further to amend the Child Marriage Restraint Act, 1929 (XIX of 1929) in certain respects;

It is hereby enacted as follows:—

1. Short Title and Commencement.—(1) This Act may be called the Child Marriage Restraint (Amendment) Act, 194 .

(2) It shall come into force at once.

2. Amendment of Section 3, Act XIX of 1929.—In Section 3 of the Child Marriage Restraint Act, 1929 (XIX of 1929) (hereinafter referred to as the Said Act) after the words "punishable with" the words "simple imprisonment which may extend to fifteen days or with" shall be inserted.

3. Amendment of Section 4, Act XIX of 1929.—In Section 4 of the Said Act—

(1) for the words "one month" the words "three months" shall be substituted;

(2) for the words "or with fine" the words "and shall also be liable to fine" shall be substituted and the words "or with both" shall be omitted.

4. Amendment of Section 5, Act XIX of 1929.—In Section 5 of the Said Act—

(1) for the words "one month" the words "three months" shall be substituted; and

(2) for the words "or with fine" the words "and shall also be liable to fine" shall be substituted and the words "or with both" shall be omitted.

5. Amendment of Section 6, Act XIX of 1929.—In Sub-section (1) of Section 6 of the Said Act—

(1) for the words “one month” the words “three months” shall be substituted; and

(2) for the words “or with fine” the words “and shall also be liable to fine” shall be substituted and the words “or with both” shall be omitted.

6. Amendment of Section 10, Act XIX of 1929.—In Section 10 of the Said Act—

(1) for the word “shall” the word “may” shall be substituted;

(2) after the word “first” the words “or second” shall be inserted.

STATEMENT OF OBJECTS AND REASONS

This Bill seeks to amend the Child Marriage Restraint Act in certain respects. The Said Act was passed by a non-national Government more as a propaganda measure than with the real desire of checking the corroding evil of child marriage which was eating into the very vitals of the nation. The Government of the day was apprehensive of country-wide agitation from orthodox people and in consequence provided mild punishment in the Act for infraction of its provisions. The Provincial Governments in certain provinces watered down the provision still further by issuing executive circulars which directed that except in flagrant cases the punishment was to be fine only.

The experience of the last seventeen years has however brought home the realisation that the Act unless amended is likely to remain a dead letter and would never achieve the object in view. Like its predecessor in the Baroda State the Act has so far resulted in only adding the amount of fine to the marriage expenses in cases of successful prosecutions which were also very rare.

Except for slight improvement in some cities where along with other causes the provisions of the Act may have contributed to raise the marriageable age, the child marriages continue to be celebrated as merrily as before and with impunity. They are the order of the day in rural areas and in backward communities.

The evil is far too extensive and serious not to be tackled immediately and its stoppage cannot brook delay. National interests of a most vital character demand that the national Government should not allow grass to grow under its feet and postpone immediate and prompt action.

Among the remedies which the Government may adopt the provision of enhanced and compulsory imprisonment by way of punishment in respect of the infraction of Sections 4, 5 and 6 of the Act is fairly calculated to have a deterrent effect and may perhaps effectively check-mate the evil. Child Marriage resulting in pre-puberty consummation and other hundred evils affect the physique of the young most prejudicially and thus sap the very vitality of the nation.

The atrocious act in its essence constitutes a very heinous offence which but for unwanted interference in domestic matters and want of confidence in the police administration in the country should have been made a cognizable offence.

Anyhow there is at present no justification for keeping intact the rksome provisions originally designed as safeguards against the possible misuse of the provisions.

THAKUR DAS BHARGAVA.

NOTES ON CLAUSES

Clause 2 of the Bill provides simple imprisonment for fifteen days or fine for a young delinquent and is calculated to arm him in his possible revolt against his superiors who may be forcing him to contract child marriage from behind the *Purdah* and invest the court with discretionary powers to award imprisonment in proper cases.

Clauses 3, 4 and 5 make the award of imprisonment compulsory and enhance the powers of the court to award imprisonment for three months instead of one in regard to the infraction of the provisions of Sections 4, 5 and 6 of the Act.

Clause 6 gives jurisdiction to Magistrates in the matter of preliminary enquiries. The obligatory character of the present provision detracted from the utility of the measure and constituted an unnecessary restraint in the discretion of the Magistrate.

L. A. BILL No. 21 OF 1947

A Bill further to amend the Durgah Khawaja Saheb Act, 1936

WHEREAS it is expedient further to amend the Durgah Khawaja Saheb Act, 1936 (XXIII of 1936) for the purposes hereinafter appearing ;

It is hereby enacted as follows :—

1. Short title.—This Act may be called the Durgah Khawaja Saheb (Amendment) Act, 194 .

2. Amendment of section 2, Act XXIII of 1936.—In section 2 of the Durgah Khawaja Saheb Act, 1936 (XXIII of 1936) (hereinafter referred to as the said Act)—

(a) for sub-section (3) the following sub-section shall be substituted, namely—

“(3) ‘Durgah’ means the institution called the Durgah Khawaja Saheb, Ajmer, and includes the tomb of Khawaja Moin-ud-Din Chishti with its super-structures and enclosures known as the Durgah-i-Sharif and all other buildings including mosques, khanqah, mahfilkhana, langarkhnana, quarters (*hujras*), *dalans*, tanks (*hauz*), spring (*baoli*), gates and other structures appertaining to the Durgah and contained therein with all additions thereto and alterations thereof which may be made after the commencement of this Act ; ”

(b) for item (a) in sub-section (4) the following item shall be substituted, namely—

“(a) the Durgah ”

(c) In items (b) and (c), of sub-section (4) the word “Sharif” shall be omitted.

(d) for item (e) in sub-section (4) the following item shall be substituted, namely :—

“(e) all gifts, offerings, and contributions made for any purpose connected with the Durgah ”

(e) sub-section (5) shall be omitted.

3. Amendment of section 5, Act XXIII of 1936 .— In section 5 of the said Act—

(a) in item (a) of sub-section (1) after the word “being ” the words “ of the Durgah Sharif of Khawaja Moinuddin Chishti ” shall be inserted.

(b) for item (b) in sub-section (1) the following item shall be substituted, namely :—

“(b) one co-opted by the members of the Committee referred to in item (a) and items (c) to (f) from amongst the descendants residing in Ajmer of Khawaja Moinuddin Chishti, other than the Sajjadanashin, and the descendants residing in Ajmer of Khawaja Qutbuddin Maudud Chishti and Maulana Hamiduddin Nāgaury ; ”

(c) in item (e) of sub-section (1) before the word “ Muslim ” wherever it occurs the word “ Sunni ” shall be inserted ;

(d) in item (g) of sub-section (1) for the word “ clauses ” the word “ items ” shall be substituted ;

(e) in sub-section (3) for the word “ clause ” the word “ item ” shall be substituted.

4. Amendment of section 9, Act XXIII of 1936.—In sub-section (1) of section 9 of the said Act, for the words "those referred to in clauses (a) and (b)" the words "the member referred to in item (a)" shall be substituted.

5. Amendment of section 10, Act XXIII of 1936.—In section 10 of the said Act—

(a) in sub-section (1) for the word "among" the word "amongst" shall be substituted;

(b) for sub-section (2) the following sub-section shall be substituted, namely—

"(2) when the office of the President is vacant, or when the President is not present in Ajmer the Vice-President shall exercise all the powers and functions of the President, and shall preside over the meetings of the Committee in the absence of the President."

6. Amendment of section 11, Act XXIII of 1936.—In section 11 of the said Act—

(a) for item (f) in sub-section (2) the following item shall be substituted, namely—

"(f) to engage and appoint servants for the efficient administration control, and management of the Durgah Endowment and for the conduct and regulation of the established rites and ceremonies of the Durgah Sharif, and to promote, degrade, suspend or dismiss such servants;

Provided that no Khadim or member of the *Shagirdpesha* establishment shall be suspended or dismissed except for breach of trust, neglect of duty, insubordination, disorderly conduct, or incompetence ;"

(b) after item (f) the following items shall be inserted, namely :—

"(g) to collect all offerings and presents made in the Durgah Sharif, whether inside or outside the Dome, and disburse the same in accordance with judicially established rights ;

(h) to prepare and maintain lists and registers of all hereditary servants of the Durgah Sharif, prescribe the mode of devolution of each service, and from time to time revise the scale of remuneration and perquisites attached to such service :

Provided that no person shall be deemed to have any hereditary right in, claim on or association with the Durgah Sharif unless, within the time fixed by the Committee and notified in such manner as the Committee may decide, he gets his name recorded in the lists or registers prepared by the Committee ;

(i) to prescribe badges and uniforms to be worn by members of each service when on duty in the Durgah Sharif ; "

(c) item "(g)" shall be relettered as item "(j)" ; and

(d) for sub-section (3) the following sub-section shall be substituted, namely :—

"(3) The Committee will exercise its power of administration, control and management of the Durgah Endowment through such officers and servants as it may from time to time appoint for these purposes."

7. Amendment of section 14, Act XXIII of 1936.—In section 14 of the said Act, the word "clause" wherever it occurs the word "item" shall be substituted.

8. Amendment of section 15, Act XXIII of 1936.—In sub-section (2) of section 15 of the said Act—

- (a) in item (i) for the words “the trustee, Manager, or Superintendent” the words “such officer as the Committee may appoint for this purpose” shall be substituted;
- (b) for item (k) the following item shall be substituted, namely—
“(k) the duties and powers of all officers and servants, hereditary or otherwise of the Durgah;”
- (c) after item (l) the following items shall be added, namely :—
 - “(m) inspection of the Toshakhana of the Durgah inside and outside the Dome of the Durgah Sharif and the collection, custody, disbursement, and disposal of offerings of all kinds;
 - (n) conduct, regulation, and supervision of the *Ghusal* and other established rites and ceremonies of the Durgah Sharif;
 - (o) the order and arrangement of seats in the *Mahfils* held under the auspices of the Committee on Thursdays, during the *Urs*, and on other occasions.”

9. Amendment of section 16, Act XXIII of 1936.—For section 16 of the said Act the following section shall be substituted, namely :—

- “16. *Decisions of Committee—when questionable.*—No order, decision, or act of the Committee shall be questioned in any court except on the ground that it is *ultra vires* or is not *bona fide*.”

10. Amendment of section 19, Act XXIII of 1936.—In section 19 of the said Act the following words shall be added at the end, namely :—

- “except income derived from donations given and amounts paid to the Committee for any specific purpose.”

11. Insertion of new sections 21, 22, 23, 24, 25, and 26, Act XXIII of 1936.—After section 20 of the said Act the following sections shall be added, namely :—

- “21. *Exemption of salaries from attachment.*—No salaries, allowances, or perquisites received from the funds of the Durgah, whether in payment for any service or otherwise, shall be attached or seized in execution of a decree of any court.
- 22. *Disposal of Lands forming part of Durgah Endowment.*—Notwithstanding any law to the contrary, all lands granted and held in villages forming part of the Durgah Endowment in remuneration for any service rendered to the Durgah and not held by virtue of *bona fide* purchase for valuable consideration shall lapse to the Durgah and be resumed by the Committee, and persons holding such lands still rendering service shall be paid cash salaries to be fixed by the Committee.
- 23. *Lapsing of lands granted out of Durgah Endowment.*—All lands granted out of the Durgah Endowment in lieu of service which has ceased to be performed shall irrespective of the duration of such cessation lapse to the Durgah.
- 24. *Recovery of claims in favour of Durgah.*—All claims of money, land, grain, or other articles and things of value accruing in favour of the Durgah shall be deemed to be public demands recoverable as such by such authority and in such manner as the Chief Commissioner, Ajmer-Merwara may prescribe.
- 25. *Performance of Services to Durgah.*—All services in and to the Durgah shall be performed personally by the persons concerned except with the leave of the Committee, and no such service or emoluments attached

thereto shall be transferable by sale, mortgage, gift, will, contract, or otherwise except in accordance with the bye-laws of the Committee.

26. *Abolition of office of Mutawalli.*—The office of Mutawalli is hereby abolished and the income of the lands held by the Mutawalli in lieu of the perquisites attached to his office shall hereafter be received by the Committee and spent in such manner as the Committee may decide."

STATEMENT OF OBJECTS . AND REASONS.

The long standing dispute as to the nature of the office of Mutawalli in the Durgah Khawaja Saheb, Ajmer, has been finally settled by the judgment of the Privy Council in Syed Asrar Ahmed Appellant *versus* the Durgah Committee Ajmer Respondent whereby the Privy Council upheld the decision of the Judicial Commissioner, Ajmer-Merwara, to the effect that the office of Mutawalli is not hereditary and that the Durgah Committee is empowered to appoint anyone as Mutawalli. The power politics resulting from the constant tug of war between the Sajjadanashin and the Mutawalli on the one hand and between the Mutawalli and the Durgah Committee on the other have retarded all movements for reforming the Durgah administration and it is, therefore, proposed to abolish the office of Mutawalli altogether and to entrust the discharge of the various duties of the Mutawalli to such officers and servants as the Durgah Committee may from time to time appoint. This necessitates amendments in Section 5 (1) (b), Section 11 (3), certain consequential amendments in some other provisions of Act XXIII of 1936, and the insertion of new Section 26. Certain alterations in the definitions (Section 2), and some amplification of the Committee's power to make by-laws (Section 15) are also needed. Section 16 has all along been a dead letter and it is proposed to substitute a new section 16 for the present one. Insertion of new sections 22 to 25 is also necessary in order to enable the Committee to carry on the Durgah administration more successfully. Hence this Bill.

GHULAM BHIK NAIRANG.

L. A. BILL No. 22 OF 1947

A Bill further to amend the Indian Penal Code and the Code of Criminal Procedure, 1898

WHEREAS it is expedient further to amend the Indian Penal Code (XLV of 1860) and the Code of Criminal Procedure, 1898 (V of 1898) for certain purposes;

It is hereby enacted as follows:—

1. **Short Title and Commencement.**—(1) This Act may be called the Indian Penal Code and the Code of Criminal Procedure (Amendment) Act, 19 .

(2) It shall come into force at once.

2. **Amendment of Section 361, Act XLV of 1860.**—In Section 361 of the Indian Penal Code (XLV of 1860) for the word "sixteen" the word "eighteen" shall be substituted.

3. **Amendment of Section 375, Act XLV of 1860.**—(1) In Section 375 of the Indian Penal Code (XLV of 1860)—(1) after the word "woman" the words "who is not his wife" shall be inserted;

(2) the words "except in the case hereinafter excepted" shall be omitted;

(3) for the word "fourteen" the word "eighteen" shall be substituted; and

(4) the *Exception* shall be omitted.

4. **Amendment of Section 376, Act XLV of 1860.**—In Section 376 of the Indian Penal Code (XLV of 1860), for the words beginning with the word "unless" and ending with "both" the following words shall be substituted, namely:—

"except where the woman is between sixteen and eighteen of age and is a consenting party to the sexual intercourse when the offender shall be punished with imprisonment of either description which may extend to two years or fine or with both."

5. Insertion of new Sections 376A and 376B, Act XLV of 1860—After Section 376 of the Indian Penal Code (XLV of 1860) the following sections shall be inserted, namely :—

“ 376A. *Marital misbehaviour*.—A man is said to commit marital misbehaviour who has sexual intercourse with his wife with or without her consent when she is below the age of fifteen years. *Explanation*: Penetration is sufficient to constitute the sexual intercourse necessary to the offence of marital misbehaviour.

376B. *Punishment for marital misbehaviour*.—Whoever commits marital misbehaviour shall be punished with imprisonment of either description for a term which may extend to ten years or with fine or with both if the age of the wife is below twelve years and with punishment of either description for a term which may extend to two years or with fine or both if the age of the wife is between twelve and fifteen years. ”

6. Insertion of new section 198A, Act V of 1898.—After Section 198 of the Code of Criminal Procedure 1898 (V of 1898) the following section shall be inserted, namely :—

“ 198A. *Prosecution for offence of marital misbehaviour*.—No court shall take cognizance of the offence under Section 376B of the Indian Penal Code (XLV of 1860) unless prosecution proceedings are begun within one year of the commission of the offence ; nor shall any court take cognizance of such offence if the wife was not less than thirteen years of age on the date of marriage and the marriage took place before the Indian Penal Code and the Code of Criminal Procedure (Amendment) Act, 194 came into force. ”

7. Amendment of Section 552, Act V of 1898.—In Section 552 of the Code of Criminal Procedure, 1898 (V of 1898) for the word “ sixteen ” the word “ eighteen ” shall be substituted.

8. Amendment of Section 561, Act V of 1898.—In sub-section (1) (a) of Section 561 of the Code of Criminal Procedure, 1898 (V of 1898) for the words “ rape where the sexual intercourse was by a man with his wife ” the words “ marital misbehaviour ” shall be substituted.

9. Amendment of Schedule II, Act V of 1898.—In Schedule II to the Code of Criminal Procedure, 1898 (V of 1898) for entries relating to Section 376 of the Indian Penal Code (XLV of 1860) the following entries shall be substituted, namely :—

376.	(i) Rape	May arrest without warrant.	Warrant.	Not bailable	Not compoundable	Transportation for life or imprisonment of either description for 10 years or fine or both.	Court of Session.
	(ii) If the age of the woman is between sixteen and eighteen and she is consenting party.	Shall not arrest without warrant.	Summons.	Bailable.	Compoundable.	Imprisonment of either description for 2 years or fine or both.	Court of Session Chief Presidency Magistrate or District Magistrate or Magistrate of 1st Class.
376B.	Marital misbehaviour.						
	(i) If the age of the wife is below 12.	May arrest without warrant.	Warrant.	Not bailable.	Not compoundable.	Imprisonment of either description for 10 years or fine or both.	Court of Session.
	(ii) In other cases . . .	Shall not arrest without warrant.	Summons.	Bailable.	Compoundable with permission of Court.	Imprisonment of either description for one year or fine or both.	Court of Session Chief Presidency Magistrate or District Magistrate or Magistrate of 1st Class."

STATEMENT OF OBJECTS AND REASONS

The Bill is designed to give effect to certain recommendations contained in the report of the Age of Consent Committee appointed by the Government in the year 1928. The said Committee toured over the whole country, consulted all shades of public opinion and formulated conclusions in the interest of protection of young girls.

The Government however, except for enacting the Child Marriage Restraint Act of 1929 shelved the report and took no action in regard to the other recommendations.

The Committee had recommended that the age of consent should be raised to eighteen years in extra marital and to fifteen years in marital cases. It further recommended that the definition of the offence of rape should be so amended as to exclude the husband and instead of the present provision for offending husbands a new offence namely marital misbehaviour be provided for with different punishments according as the age of the wife was below or above 12 years.

With a view to providing better protection for young girls the said Committee recommended increase of age to eighteen years in Section 361 of the Indian Penal Code and Section 552 of the Criminal Procedure.

It need hardly be said that public opinion in the country was very strongly in favour of increase in the ages as such increase was considered incontrovertibly conducive to improvement in the physical wellbeing and better protection of young girls.

It is true that changes incorporated in the Bill curtail the liberty of males but it is equally true that these changes are absolutely indispensable from the national standpoint for the physical and moral wellbeing of the coming generation.

THAKUR DAS BHARGAVA

NOTES ON CLAUSES

Clause 2 seeks to amend Section 361 of the Indian Penal Code by increasing the age from sixteen to eighteen years.

Clause 3 amends the definition of rape and raises the extra marital age of consent to eighteen years.

Clause 4 seeks to reduce the sentence in case of consent when the age of the girl is between sixteen and eighteen.

Clause 5 defines the offence of marital misbehaviour and prescribes graduated punishment for the same.

Clause 6 prescribes limitation of period beyond which no prosecution will be entertainable in respect of an offence under Section 376B of the Indian Penal Code and exempts cases which ought not to be penalised.

Clause 7 seeks to raise the age in Section 552 of the Code of Criminal Procedure to eighteen years.

Clause 8 provides for consequential amendments.

Clause 9 seeks to make necessary amendments in the provisions of Schedule II of the Code of Criminal Procedure in regard to the amended and added offences in the Indian Penal Code.

L. A. BILL NO. 23 OF 1947

A Bill further to amend the Indian Mines Act, 1923

WHEREAS it is expedient further to amend the Indian Mines Act, 1923 (No. IV of 1923) for the purposes hereinafter appearing;

It is hereby enacted as follows:—

1. Short title.—This Act may be called the Indian Mines (Amendment) Act, 1946.

2. Amendment of Section 22B, Act IV of 1923.—In section 22B of the Indian Mines Act, 1923 (IV of 1923) (hereinafter referred to as the Said Act)—

(1) In sub-section (1), for the words “fifty-four” the word “forty” shall be substituted and for the word “ten” the word “eight” shall be substituted; and

(2) In sub-section (2), for the word “twelve” the word “nine” shall be substituted and for the word “six” the word “four” shall be substituted.

3. Amendment of Section 22C, Act IV of 1923.—In section 22C of the said Act,—

(1) In sub-section (1), for the word “nine” the word “eight” shall be substituted and at the end of the sub-section the words “and more than forty hours in any week” shall be added; and

(2) In sub-section (2), for the word “nine” wherever it occurs the word “eight” shall be substituted.

NOTES ON CLAUSES

Clause 2(1).—The clause amending sub-section (1) of Section 22B will restrict the maximum hours of work to 40 hours in a week and 8 hours in a day for all persons employed above ground instead of 54 hours in a week and 10 hours in a day as provided at present.

Clause 2(2).—At present in the case of a person employed over ground a spread over of is allowed for 12 hours including his interval of rest. The amendment aims at forbidding all spread over except that there will be one hour's interval for rest.

The present sub-section (2) of Section 22B permits the mine-owner to take work from a person over-ground for six hours at a stretch without giving an interval of rest of one hour.

The amendment aims at statutory obligation to give interval of rest for one hour after 4 hours of work.

Clause 3(1).—The original sub-section (1) of Section 22C allows the mine-owner to take work for 9 hours in a day from a person employed below ground.

The amendment proposes to reduce this period to 8 hours per day and 40 hours per week.

Clause 3(2).—The amendment restricts the period of each shift of work to eight hours instead of nine per day.

STATEMENT OF OBJECTS AND REASONS

The present Indian Mines Act, 1923 permits miners being employed for 54 hours in a week and ten hours in a day for surface work and 54 hours in a week and nine hours in a day for underground work. The Bill is intended to reduce the weekly hours from 54 to 40 and the daily hours to 8 for both surface and under-ground workers. The hours permitted by the provisions of the present Act are too long from the point of view of the health of miners. I consider that the permissible hours should be reduced as provided by the Bill if the health of the miners is to be safeguarded. It is learnt that the Government of India is thinking of reducing the hours of work in factories to 48 in a week and 8 in a day. Government do not seem to have considered the question of reducing the hours of work in mines. The Bill seeks to meet the omission. The weekly hours intended to be permitted by the Government of India for work in factories are longer than they ought to be. In any case work in mines is more hazardous and more unhygienic and therefore the Bill provides for shorter hours of work for mines than are intended by Government of India for work in factories. The present Indian Mines Act permits work for 10 hours in a day on surface and 9 hours under-ground. The Bill removes this discrimination. There is no doubt that to have the same number of hours for surface and under-ground work will be more convenient from the point of view of the life of the workers who may belong to the same family or village or also from the point of view of the administration of the law.

S. GURUSWAMI.

L. A. BILL NO. 24 OF 1947

A Bill further to amend the Indian Coinage Act, 1906

WHEREAS it is expedient further to amend the Indian Coinage Act, 1906 for the purposes hereinafter appearing ; (III of 1906).

It is hereby enacted as follows :—

1. (1) This Act may be called the Indian Coinage (Amendment) Act, 1947. Short title and commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the official Gazette, appoint in this behalf.

2. In the Indian Coinage Act, 1906 (hereinafter referred to as the said Act), sections 4 and 5 and the heading above section 4 shall be omitted. Omission of sections 4 and 5, Act III of 1906.

3. For section 6 of the said Act and the heading above that section, the following heading and section shall be substituted, namely :— Substitution of new section for section 6, Act III of 1906.

“ Coinage

6. Coins may be coined at the Mint for issue under the authority of the Central Government, of such denominations not higher than one rupee, of such dimensions and designs, and of such metals or of mixed metals of such composition as the Central Government may, by notification in the official Gazette, determine.” Denominations, dimensions, designs and composition of coins.

4. Sections 10, 11 and 12 of the said Act, and the heading above section 10, shall be omitted. Omission of sections 10, 11 and 12, Act III of 1906.

substitution of new section for section 13, Act III of 1906.

5. For section 13 of the said Act, the following section shall be substituted, namely :—

Coin, when a legal tender.

“ 13. (1) The coins issued under the authority of section 6 shall be a legal tender in payment or on account,—

- (a) in the case of a rupee coin, for any sum ;
- (b) in the case of a half-rupee coin, for any sum not exceeding ten rupees ;
- (c) in the case of any other coin, for any sum not exceeding one rupee ;

Provided that the coin has not been defaced and has not lost weight so as to be less than such weight as may be prescribed in its case.

(2) All silver coins issued under this Act after the 10th day of March 1940 shall continue as before to be a legal tender in payment or on account,—

- (a) in the case of a rupee coin, for any sum ;
- (b) in the case of a half-rupee coin, for any sum not exceeding ten rupees ;
- (c) in the case of a quarter-rupee, for any sum not exceeding one rupee ;

Provided that the coin has not been defaced and has not lost weight so as to be less than—

- (i) 176·4 grains Troy in the case of a rupee coin, or
- (ii) 88·2 grains Troy in the case of a half-rupee coin, or
- (iii) such weight as may be prescribed in the case of a quarter-rupee coin.

(3) All nickel, copper and bronze coins which may have been issued under this Act before the 24th day of January 1942 shall continue as before to be a legal tender in payment or on account for any sum not exceeding one rupee.”

Omission of section 15, Act III of 1906.

6. Section 15 of the said Act shall be omitted.

Amendment of section 15A, Act III of 1906.

7. In section 15A of the said Act,—

- (a) for the words and figures “ section 12, section 13, or section 15,” the word and figures “ section 13,” shall be substituted ;
- (b) for the words “ any of those sections ” the words “ that section ” shall be substituted.

Amendment of section 20, Act III of 1906.

8. (1) In section 20 of the said Act,—

- (a) the words “ silver or other ” shall be omitted ;
- (b) after the words “ is counterfeit ” the words “ or has been fraudulently defaced ” shall be inserted.

(2) In the marginal heading of the said section 20, for the words “ silver or nickel ” the words “ or fraudulently defaced ” shall be substituted.

9. In sub-section (2) of section 21 of the said Act,—

Amendment of
section 21, Act III
of 1906.

(a) clause (a) shall be omitted ;

(b) in clause (c), for the words " in any case than two per cent." the words " than two per cent. in the case of silver coins or five per cent. in the case of pure nickel coins," shall be substituted.

10. Section 24 of the said Act shall be omitted.

Omission of section
24, Act III of 1906.

STATEMENT OF OBJECTS AND REASONS

The Indian Coinage Act provides at present for the coinage of silver coins of the denomination of rupee, half rupee and quarter-rupee with 50% silver content. As, however, the coinage of coins not higher than an eight-anna piece is permitted in any metal determined by Government and half and quarter rupee coins are already being issued in pure nickel, the metallic rupee alone now remains a 'silver coin'. Under modern conditions, when the nature of coins as tokens of value is well understood, it is unnecessary and wasteful to use a metal of high value like silver for coinage. A large section of the public in India has already got used to and prefers the paper rupee, and to the extent to which a metallic rupee is still in demand, the need for it can be met by using a metal like pure nickel, which is in many ways far superior to silver for coinage purposes. Most advanced countries, including the United Kingdom, have now ceased to use silver for their main coins. The elimination of silver from the rupee coin will also facilitate the return of the Lease Lend silver to America and might enable Government to control speculative rise of silver prices in India should occasion arise. The Bill therefore seeks to authorise Government to issue all coins, including the rupee, in any metal, by deleting sections 4 and 5 and making other consequential changes. The legal tender character of the existing quarternary coins has been left unaffected. Opportunity has also been taken to delete certain other sections which have ceased to have any significance.

New Delhi ;

• LIAQUAT ALI KHAN.

The 12th February, 1947.

NOTES ON CLAUSES

Clause 4.—(1) The amended section 6 combines the existing sections 6 and 10 and hence section 10 is omitted.

(2) Section 11 is omitted as it is unnecessary.

(3) The provisions of section 12, relating to silver coins, have been incorporated in the new section 13 with certain modifications.

Clause 5.—(1) The silver half-rupee was legal tender for any amount under section 12 while the nickel half-rupee was legal tender for a sum not exceeding one rupee under section 13. It is now proposed to make all half-rupee coins legal tender for a sum not exceeding ten rupees.

(2) The limit of loss of weight is maintained as before in the case of silver coins and in the case of others it is left to be proscribed by rules.

(3) Such silver coins issued prior to 1940 as have not been specifically withdrawn have ceased to be in circulation and it is not necessary to maintain their legal tender character since they can be sold for their silver content at a price higher than their face value.

(4) 10th March 1940 and 24th January 1942 are the commencement dates of the Indian Coinage (Amendment) Act, 1940 and the Indian Coinage (Amendment) Ordinance, 1942 respectively.

Clause 6.—Section 15 is omitted as it is no longer of any significance.

Clause 8.—It is necessary to provide for the cutting of fraudulently defaced coins.

Clause 9.—Pure nickel coins have a wider remedy than silver coins.

Clause 10.—As copper coins have ceased to be in circulation, section 24 is unnecessary.

L. A. BILL No. 25 of 1947

A Bill further to amend the Reserve Bank of India Act, 1934.

II of 1934. WHEREAS it is expedient further to amend the Reserve Bank of India Act, 1934, for the purposes hereinafter appearing;

It is hereby enacted as follows :—

Short title and commencement.

1. (1) This Act may be called the Reserve Bank of India (Amendment) Act, 1947.

(2) It shall come into force on the 1st day of April 1947.

Amendment of section 2, Act II of 1934.

2. In section 2 of the Reserve Bank of India Act, 1934 (hereinafter referred to as the said Act), clauses (f) to (k) (both inclusive) shall be omitted.

Amendment of section 4, Act II of 1934.

3. In section 4 of the said Act,—

(a) in sub-section (2), for the words “ Delhi, Madras and Rangoon ” the words “ Delhi and Madras,” shall be substituted;

(b) in sub-section (3)—

(i) the words “ or Burma ” and the words “ or Burman ” wherever they occur, shall be omitted;

(ii) in clause (c), the words “ or in Burma, or ” shall be omitted.

(iii) in clause (d) shall be omitted;

(c) in sub-section (4), the words “ or Burman ” shall be omitted;

(d) in sub-section (5), the first paragraph and the proviso thereto shall be omitted.

Amendment of section 5, Act II of 1934.

4. In sub-section (2) of section 5 of the said Act, for the words “ the same proportions as the shares constituting the original share capital ” the words “ such proportions as the Central Board may, with the previous approval of the Central Government, determine ” shall be substituted.

Amendment of section 6, Act II of 1934.

5. In section 6 of the said Act,—

(a) for the words “ Delhi, Madras and Rangoon ” the words “ Delhi and Madras ” shall be substituted;

(b) the words “ or Burma ” shall be omitted.

6. In clause (c) of sub-section (1) of section 8 of the said Act,— Amendment of section 8, Act II of 1934.

(a) in sub-clause (iv), for the words “one Director” the words “two Directors” shall be substituted;

(b) sub-clause (v) shall be omitted.

7. In section 9 of the said Act,—

(a) in sub-section (1), for the words “five areas” the words “four areas” shall be substituted; Amendment of section 11, Act II of 1934.

(b) in sub-section (7), for the words “one or two persons, as the case may be,” the words “two persons” shall be substituted.

8. In sub-section (1) of section 10 of the said Act, the words “or Burma”, in both places where they occur, shall be omitted. Amendment of section 10, Act II of 1934.

9. In sub-section (5) of section 11 of the said Act, for the words “the Coorg Legislative Council or the Burma Legislature” the words “or the Coorg Legislative Council” shall be substituted. Amendment of section 11, Act II of 1934.

10. In sub-section (4) of section 15 of the said Act, the words “and for the purposes of such lot the Madras and Rangoon registers shall be treated as if they comprised one register only” shall be omitted. Amendment of section 15, Act II of 1934.

11. In section 17 of the said Act,—

(1) in clause (1) the words “the Government of Burma, the Burma Railway Board,” shall be omitted; Amendment of section 17, Act II of 1934.

(2) in clause (2)—

(a) in sub-clause (a)—

(i) for the words “India or Burma and payable in India or Burma” the words “and payable in India” shall be substituted;

(ii) the words “or a Burma scheduled bank” shall be omitted;

(b) in sub-clause (b),—

(i) for the words “either in India or in Burma and payable either in India or in Burma” the words “and payable in India” shall be substituted;

(ii) for the words “a Burma scheduled bank, a provincial co-operative bank, or a Burma co-operative bank,” the words “or a provincial co-operative bank” shall be substituted;

(c) in sub-clause (c),—

(i) for the words “either in India or Burma and payable either in India or Burma” the words “and payable in India” shall be substituted;

(ii) the words “or a Burma scheduled bank” shall be omitted;

(iii) for the words “a Provincial Government or the Government of Burma,” the words “or a Provincial Government,” shall be substituted;

(3) in clause (3),—

(a) in sub-clause (a), the words “ and Burma scheduled banks ” shall be omitted ;

(b) in sub-clause (b), the words “ or in Burma except with a scheduled bank or a Burma scheduled bank and ” shall be omitted ;

(4) in clause (4),—

(a) the words “ Burma scheduled banks,” and the words “ Burma co-operative banks ” shall be omitted ;

(b) in sub-clause (a), the words “ or Burma ” shall be omitted ;

(c) in sub-clause (d) for the words “ Burma scheduled bank, provincial co-operative bank or Burma ” the words “ or provincial ” shall be substituted ;

(5) in clause (5), for the words “ provincial Governments, the Government of Burma and the Burma Railway Board ” the words “ and Provincial Governments ” shall be substituted ;

(6) in clause (8), for the words “ Government, a Provincial Government or the Government of Burma ” the words “ Government or a Provincial Government ” shall be substituted ;

(7) in clause (11), the words “ or the Government of Burma ” shall be omitted ;

(8) in clause (14),—

(a) in the first proviso, the words “ or Burma ”, the words “ or a Burma scheduled Bank ” and the words “ and Burma ” shall be omitted ;

(b) in the second proviso, the words “ and Burma ” shall be omitted ;

(9) in clause (15), the words “ and the making and issue of Burma notes in accordance with the law of Burma ” shall be omitted ;

(10) in clause (16), the words “ and the law of Burma ” shall be omitted.

Amendment of
section 18, Act II
of 1934.

12. In section 18 of the said Act,—

(a) the words “ or Burman ” shall be omitted ;

(b) in clause (1), for the words “ bank, a Burma scheduled bank, a provincial co-operative bank or a Burma co-operative bank ” the words “ bank or a provincial co-operative bank ” shall be substituted.

Amendment of
section 23, Act II
of 1934.

13. Sub-section (3) of section 23 of the said Act shall be omitted.

Amendment of
section 26, Act II
of 1934.

14. Sub-section (3) of section 26 of the said Act shall be omitted.

Amendment of
section 28, Act II
of 1934.

15. In section 28 of the said Act, the brackets and figure “ (1) ” and sub-section (2) shall be omitted.

Amendment of
section 29, Act II
of 1934.

16. In section 29 of the said Act, the words “ or Burma notes ” shall be omitted.

Amendment of
section 30, Act II
of 1934.

17. In sub-section (1) of section 30 of the said Act, the words “ or by or under the law of Burma ” shall be omitted.

- 18.** In sub-section (3) of section 33 of the said Act, the words "or in Burma" shall be omitted. Amendment of section 33, Act of 1934.
- 19.** Sub-section (3) of section 34 of the said Act shall be omitted. Amendment of section 34, Act of 1934.
- 20.** In section 40 of the said Act, for the words "Delhi, Madras or Rangoon" the words "Delhi or Madras" shall be substituted. Amendment of section 40, Act of 1934.
- 21.** In section 41 of the said Act, for the words "Delhi, Madras or Rangoon," the words "Delhi or Madras," shall be substituted. Amendment of section 41, Act of 1934.
- 22.** Section 41A of the said Act shall be omitted. Omission of section 41A, Act II of 1934.
- 23.** In section 42 of the said Act,—
- (a) in sub-section (1) the words "and Burma" shall be omitted; Amendment of section 42, Act of 1934.
- (b) in sub-section (2) for clauses (b) to (k) (both inclusive) the following shall be substituted, namely :—
- "(b) the total amount held in India in currency notes of the Government of India and bank notes, ;
- (c) the amounts held in India in rupee coin and subsidiary coin, respectively,
- (d) the amounts of advances made and of bills discounted in India, respectively,
- (e) the balance held at the Bank,".
- 24.** In section 43 of the said Act, the words "and from Burma scheduled banks under the corresponding provisions of the law of Burma" shall be omitted. Amendment of section 43, Act I of 1934.
- 25.** In section 54 of the said Act, the words "the Government of Burma," and the words "Burma co-operative banks", in both places where they occur, shall be omitted. Amendment of section 54, Act I of 1934.
- 26.** In the First Schedule to the said Act,— Amendment of First Schedule, Act II of 1934.
- (a) In entry II, after the word "Assam," the words "the Andaman and Nicobar Islands," shall be inserted;
- (b) entry V shall be omitted.
- 27.** The following Ordinances are hereby repealed, namely :— Repeals.
- (1) The Reserve Bank of India (Temporary Amendment) Ordinance, 1942; IX of 1942.
- (2) The Burma Notes Ordinance, 1942; XVIII of 1942.
- (3) The Reserve Bank of India (Rangoon Register) Ordinance, 1942; XLIV of 1942.
- (4) The Reserve Bank of India (Temporary Amendment) Ordinance, 1945; XIX of 1945.

STATEMENT OF OBJECTS AND REASONS

The Government of Burma has decided to entrust the currency and coinage of Burma to a Currency Board of its own and has given notice to the Government of India under paragraph 21 of Part II of the India and Burma (Burma Monetary Arrangement) Order, 1937, for the termination of the joint monetary arrangements between India and Burma outlined therein with effect from the 1st of April, 1947. The effect of this decision is that the Reserve Bank will cease, with effect from this date, to function as banker to the Government of Burma or to manage its note issue, and the object of the present Bill is to enable the Reserve Bank to wind up its affairs in that country by deleting all references to Burma in the Reserve Bank of India Act, 1934. Since there will hereafter be no necessity to allow Burma to retain her interest in the share capital and the directorate of the Reserve Bank, provision has been made in the Bill to permit of the immediate abolition of the Rangoon share register of the Bank and for the transfer of the elective directorship from the Rangoon to the Madras area, which has till now, been represented on the Board by one elected director. Provision has also been made in the Bill for the repeal of the Emergency Ordinance passed in 1942 to deal with the situation that arose on the occupation of Burma by the Japanese, and of the Reserve Bank of India (Temporary Amendment) Ordinance, 1945, which was enacted to enable the Reserve Bank to act as banker to the British Military Administration of Burma.

LIAQUAT ALI KHAN.

NEW DELHI ;

11th February, 1947.

M. N. KAUL,

Secretary to the Government of India.